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# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074  
FACSIMILE (202) 225-3974  
MINORITY (202) 225-5051

<http://oversight.house.gov>

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STAFF DIRECTOR

June 15, 2012

The Honorable Leon Panetta  
Secretary of Defense  
U.S. Department of Defense  
1000 Defense Pentagon  
Washington, D.C. 20301-1000

Dear Mr. Secretary:

The Committee on Oversight and Government Reform is conducting oversight of the facts and circumstances surrounding alleged corruption and mismanagement at the Dawood National Military Hospital (NMH) in Afghanistan. In addition to related documents supplied by the Department of Defense (Department), the Committee has received information from senior military officials familiar with the events in question. This includes a detailed memorandum that individuals within the Department may have withheld in an effort to obstruct the Committee's oversight.

The purpose of this letter is to bring this information to your attention and urge an immediate investigation into allegations made against senior commanders. I request that you also take the appropriate actions to protect the personnel who brought these matters to the Committee's attention.

NMH is a U.S. taxpayer-funded institution established for the purpose of caring for wounded Afghan National Security Forces. It is staffed by Afghan doctors and medical staff who are trained by the NATO Medical Training Advisory Group ("MTAG"). The MTAG is comprised primarily of U.S. military personnel who serve in an advisory capacity only.

While MTAG staff mentors and advises the Afghans, they do not treat patients, prescribe or otherwise administer vaccines or pharmaceuticals. Their purpose is "to help the Afghans perform and to increase their capability, not by doing for them, but rather by advising them and stepping back."<sup>1</sup> They perform "not as a clinician, not as a nurse, not as a technician, but as a trainer. . . . When they come here, it's advising."<sup>2</sup>

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<sup>1</sup> *Department of Defense Bloggers Roundtable with Colonel Schuyler Geller, Command Surgeon and Commander, Medical Training Advisory Group at Camp Eggers, NATO Training Mission-*

According to documents provided by the Department, since 2008 the United States has provided over \$180 million dollars to fund medical facilities in Afghanistan.<sup>3</sup> While the Department has not tracked its expenditures specifically for NMH, it is estimated to be a significant portion of the total amount. This includes not only training and sustainment costs, but also a significant number of vaccines and pharmaceuticals.

### **Apparent Effort to Delay Exposure of Mismanagement and Human Suffering for Political Reasons**

During the summer of 2010, allegations began to surface regarding widespread theft and mismanagement at NMH. According to witness accounts, Afghans stole fuel needed to run the hospital's generators and sold pharmaceuticals on the black market. Sources also claim that Afghan doctors and nurses would rarely show up for work after having been trained at U.S. taxpayer expense.

The combination of these factors resulted in an extreme lack of care at the NMH facility. Photographic evidence and first-hand accounts indicate that wounded Afghan soldiers endured starvation, bed sores, botched operations, undressed wounds, and procedures without painkillers or anesthesia. One witness described it as “an ethical nightmare for our trainers who could not walk away from patient care with dressings not changed or surgeries not completed or nursing duties half done.” The Wall Street Journal (“Journal”) described these conditions in its September 3, 2011, article entitled, “At Afghan Military Hospital, Graft and Deadly Neglect.”

From July to November of 2010, senior U.S. military officers brought these issues to the attention of their superiors. According to information received by the Committee, briefings occurred both orally and in writing to then-Brigadier General (BG) Gary Patton, Lieutenant General (LTG) William Caldwell, LTG Caldwell's civilian deputy Dr. Jackie Kem, and other senior advisors at NATO Training Mission-Afghanistan (NTM-A).

On or about October 27, 2010, a meeting purportedly occurred wherein officers under BG Patton and LTG Caldwell's command concluded that the conditions at NMH were beyond NTM-A's ability to remedy. Participants – including the NTM-A Inspector General, the NTM-A command surgeon, the NTM-A chief of legal development for the Afghan National Army, and the NTM-A's chief anti-corruption attorney – recommended to Dr. Kem that an assistance visit by the Defense Department's Office of Inspector General was necessary. According to documents, Dr. Kem's response was: “This is a no-brainer. Email the DoD IG, [Ambassador Kenneth Moorefield], tonight and ask to get a [Medical Special Plans and Operations] team in before the Christmas break.”

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*Afghanistan/Combined Security Transition Command-Afghanistan*, Federal News Service, Inc., September 2, 2010.

<sup>2</sup> *Id.*

<sup>3</sup> Request for Information (RFI) Response (U.S. CENTCOM) Engagement Code: (USCC1129808291) No. 2, April 20, 2012.

Pursuant to Dr. Kem's direction, the NTM-A IG emailed Ambassador Moorefield on October 28, 2010, to request that the Defense Department IG conduct "an investigation and inquiry"<sup>4</sup> into the mismanagement of NMH. Particularly, the correspondence notes that "the scope of the inspection and investigative inquiry is beyond the expertise and capability of NTM-A CSTC-A and USFOR-A Inspectors General. We are therefore requesting assistance in this matter."<sup>5</sup>

While the email notes that LTG Caldwell was briefed ahead of time, the decision to request the Department IG's assistance was apparently made without his knowledge and permission. According to sources, he became "emotional" and chastised officers when he learned of the email to Ambassador Moorefield. One witness quoted LTG Caldwell as saying that "you should have known better [than to call in the IG]. You should have known better!" Discussions occurred wherein participants explored ways in which to solve the NMH issues within NTM-A and keep the matter in-house.

Witnesses indicate that LTG Caldwell further admonished the NTM-A IG who transmitted the request and asked him to retract it until more facts could be ascertained. LTG Caldwell then, according to sources, directed a subsequent request be made at a later time.

LTG Caldwell's direction was interpreted by the NTM-A IG to be an intentional delay, given LTG Caldwell's concern that the timing of such a request could potentially impact the 2010 midterm Congressional elections. This interpretation was based on, according to one witness, LTG Caldwell's "surprising" comment that "how could we think to invite the DOD IG in during an election cycle? ... He calls me Bill." A source indicated to Committee staff that LTG Caldwell was referring to the President of the United States, and that LTG Caldwell also appeared to be worried about how it might impact his relationship with the Commander-in-Chief.

LTG Caldwell's concerns about the upcoming elections were apparently reiterated by BG Patton to other senior officers. According to a description of events provided to the Committee, BG Patton expressed that "[LTG Caldwell] had concerns about the upcoming Congressional elections [occurring] the next week and did not want an IG visit to NTM-A to get leaked to the press and potentially embarrass [the President of the United States] before these elections." Another witness told Committee staff that "BG Patton mentioned early in the meeting that LTG Caldwell had expressed concern about the request being made so close to the congressional elections and that he was asked to consider putting the request off until after the election."

On October 29, 2010, the NTM-A IG retracted his request at LTG Caldwell's direction – by telephone to Ambassador Moorefield – and immediately drafted a revised request. While the revised request was apparently ready to send within 24 hours, it was

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<sup>4</sup> Email from Fassl, Mark F COL MIL USA NTM-A/CSTC-A CJ IG to Moorefield, Kenneth P. SES OIG DoD, October 28, 2010, Subject: (Unclassified).

<sup>5</sup> *Id.*

not transmitted by LTG Caldwell to Ambassador Moorefield until November 10, 2010 - eight days after the election.<sup>6</sup>

### **Senior Officer Reportedly Prohibited from Sharing Information about Possible Political Interference**

In August of 2011, the Wall Street Journal began interviewing NTM-A personnel in Kabul regarding various allegations of mismanagement and mistreatment. A formal request was apparently made by the Journal to speak with the command surgeon. In turn, the NATO office of Public Affairs, then led by Rear Admiral Victor M. "Vic" Beck, asked the command surgeon if he would be willing to speak with the reporter due to his familiarity with the issues. According to the command surgeon, he was interviewed first by Public Affairs Office and indicated that he was prepared to reveal what appeared to be political interference by the Command. He was then prohibited from speaking directly with the reporter and was notified that any responses would need to be submitted in writing and approved by the Public Affairs Office before transmitted to the Journal.

The Journal declined this arrangement – confirming this account – and later referenced the military's unwillingness to make personnel available. Specifically, the Journal noted that "the coalition declined to make Col. [Schuyler] Geller available for an in-person interview."<sup>7</sup>

On September 3, 2011, the Journal published its article. That same day, LTG Caldwell emailed the article to International Security Assistance Force Commander General John R. Allen, USMC, noting that it "[did] not contain any of the items/concerns [they] had previously discussed - rather is focused on NMH and Afghan leadership."<sup>8</sup> Allen responded via email that "the content is not nearly what you and I initially thought it to be. We should be able to quickly lay out all we've done to improve the situation at the hospital."<sup>9</sup>

It is unclear from documents exactly what General Allen and LTG Caldwell previously discussed. However, one source indicates that pursuant to conversations with General Allen's Staff Judge Advocate, the items and concerns "were the roles of senior leaders at NTM-A in trying to suppress and block the DOD IG investigation of NMH and [the Afghan Office of the Surgeon General]."

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<sup>6</sup> Email from Caldwell, William B LTG MIL USA NTM-A/CSTC-A CMD GRP to Moorefield, Kenneth P. SES OIG DoD, November 10, 2010, 7:35 p.m., Subject: Assistance Request (Unclassified).

<sup>7</sup> Maria Abi-Habib, "At Afghan Military Hospital, Graft and Deadly Neglect," The Wall Street Journal, September 3, 2011.

<sup>8</sup> Email from Caldwell, William B LTG MIL USA NTM-A/CSTC-A CMD GRP to Allen, John R Gen USMC COMISAF, September 3, 2011, 12:50 p.m., Subject: Wall Street Journal Article.

<sup>9</sup> Email from Allen, John R Gen USMC COMISAF, to Caldwell, William B LTG MIL USA NTM-A/CSTC-A CMD GRP, September 3, 2011, 12:50 p.m., Subject: RE: Wall Street Journal Article.

This witness also told the Committee that he had been warned before leaving Afghanistan. Specifically, “I had been given a disturbing and threatening message three days before I left theater by a reported member of [Brigadier General H.R.] McMaster’s [Task Force] Shafafiyat which only confirmed my suspicions and fears. He actually told me I would not be safe unless I went to the press.” He interpreted this to mean that if he were to expose the issues, and if something happened to him as a result of that, then the public would know why. The messenger then explained that the people most affected by this information “are the kind of people that send men to your home at night.” Ironically, Task Force Shafafiyat was created by the Pentagon to expose and reduce corruption in Afghanistan.

### **Possible Further Efforts to Conceal Information Regarding Commanders’ Role**

On October 13, 2011, the Committee on Oversight and Government Reform requested documents and information regarding the human suffering and mismanagement at NMH.<sup>10</sup> Among other things, Chairmen Darrell Issa and I asked for a timeline and description of events. This task, according to emails, was assigned to the NTM-A command surgeon by his superiors when the request was received in Kabul.<sup>11</sup> He complied by drafting a 25-page narrative detailing the alleged political interference as well as the overall mismanagement of NMH.

This document, entitled “Memorandum for Record – Response to House Committee on Oversight and Government Reform Request to HQ ISAF Re: Corruption and Mismanagement at the National Military Hospital in Kabul Afghanistan,” dated December 9, 2011, was never formally provided to the Committee. Instead of producing this memorandum, the Department created a separate chart that appears to contain language lifted directly from it. However, the “timeline and description of events” produced to the Committee on April 20, 2012, excludes key information contained in the original memorandum – particularly regarding LTG Caldwell and BG Patton’s statements and activities referenced above.

When asked about the creation of the second document, the Department stated that it was crafted by a “multitude of people” including the command surgeon. After reviewing the document on May 16, 2012, however, the command surgeon told Committee staff that “this is the first time I have seen this particular document . . . I did not produce this document nor do I know who did and I was never asked to provide any feedback in its production.” The only document he authored in response to the Committee’s specific request was the 25-page memorandum that the Defense Department

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<sup>10</sup> Letter from Rep. Darrel Issa (CA-49), Chairman, Oversight and Government Reform Committee, and Rep. Jason Chaffetz (UT-03), Chairman, Subcommittee on National Security, Homeland Defense, and Foreign Operations, to The Honorable Leon Panetta, Secretary, U.S. Department of Defense, October 13, 2011.

<sup>11</sup> Email from Barringer, Leon S. LTC USAF NTM-A M-TAG, to multiple recipients, October 16, 2011, 6:15 p.m., Subject: RE: Dawood Mil Hospital – Letter from HOCR Chairmen Issa and Chaffetz to Secretary Panetta (UNCLASSIFIED).

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has yet to produce. I urge you to look into whether this document, or any other material information, may have been intentionally withheld from this Committee.

On a macro level, the mismanagement of NMH raises serious questions as to whether the Afghan government is capable of being proper stewards of U.S. taxpayer dollars. In this instance, it received millions of dollars and failed to provide the services and accountability expected by the American people. As a result, money was wasted and people died. Equally as troubling is an apparent attempt by senior U.S. military officials to delay the exposure of – or cover up – these atrocities for political reasons.

I am bringing these matters to your attention because I know that you are committed to making this Administration the most open and transparent in history. Moreover, I expect that you share my view that medical professionals should never be placed in an environment where the conditions of employment conflict with the Hippocratic Oath to ‘never do harm to anyone’. I look forward to working with you as you promptly investigate these matters and hold the appropriate individuals accountable.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives and may at “any time” investigate “any matter” as set forth in House Rule X.

If you have any questions about this request, please contact Thomas Alexander of the Committee Staff at 202-225-5074. Thank you for your attention to this matter.

Sincerely,



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Jason Chaffetz  
Chairman  
Subcommittee on National Security, Homeland  
Defense, and Foreign Operations

cc: The Honorable John F. Tierney, Ranking Minority Member  
Subcommittee on National Security, Homeland Defense, and Foreign Operations

Ms. Lynne Halbrooks, Acting Inspector General  
U.S. Department of Defense

Ambassador Kenneth Moorefield  
Deputy Inspector General for Special Plans and Operations  
U.S. Department of Defense